of the invention to read as follows:

STRAWBERRY PLANT NAMED 'DRISCOLL CAMARILLO'

Applicants hereby request a revised Filing Receipt be issued which recites the amended title of invention.

REMARKS

To facilitate entry of the amendments, applicants enclose a substitute specification along with a copy of the original specification marked up to indicate where changes have been made (37 C.F.R. § 1.125 and MPEP 608.01(q)). In the marked-up version, deletions appear as strikethroughs and additions appear as underlined text. Attorneys for Applicants submit concurrently herewith a Statement pursuant to 37 C.F.R. § 1.125 affirming that the marked-up version of the Substitute Specification shows additions and deletions reflected in the Substitute Specification. Applicants submit that the instant response overcomes the outstanding objections to the specification and withdrawal of the objections is respectfully requested.

Objection to the Drawings

The Examiner has objected to the drawings on the basis that the "Brief Description of the Drawings" section of the specification does not correspond to the figures as filed.

In response, applicants have amended the specification at page 2, lines 5-10 to recite the appropriate figure descriptions.

Applicants submit that the amendments to the specification overcome the objection and request removal of the objection.

Objection to the Disclosure Under 37 C.F.R. § 1.163(a) and 35 U.S.C. § 112, First Paragraph

The disclosure is objected to under 37 C.F.R. § 1.163(a) and 35 U.S.C. § 112, first paragraph, as allegedly not presenting a full, clear and complete botanical description of the plant and the characteristics that define and distinguish the plant from known cultivars and antecedents for the reasons set forth in the Objection to the Disclosure section. Applicants have amended the specification to incorporate additional features of the claimed strawberry variety in accordance with the Examiner's requests as follows:

A. Heading Should Proceed Latin Name

Applicants have amended the original specification at page 1, line 17, to so that the Latin name is now preceded by a heading in accord with 37 C.F.R. § 1.163(c) (4).

B. Cultivar Names in Single Quotation Marks

Applicants have amended the original specification, throughout the specification, to enclose cultivar names by single quotation marks in accord with the International Code of Botanical Nomenclature.

C. Brief Description of the Drawings

Applicants have amended the original specification to match the Brief Descriptions of the Drawings as described above.

D. Length and Width of Observed Leaf

Applicants have amended the original specification at page 2, line 32 to recite "leaf length" as "9.98 cm" and "leaf width" as "14.78 cm."

E. Length, Diameter, and Color of Petiolule

Applicants have amended the original specification at page 2, line 32 to recite "petiolule length" as "16.22 mm," "petiolule diameter" as "2.22 mm," amd "petiolule color" as "149A (in the RHS Colour Chart)."

F. Clarification of Density

Applicants have amended the original specification at page 5, line 7 to replace "Density" with "Canopy Density." Applicants submit that one skilled in the art of strawberry cultivation and breeding would understand the meaning of "open" canopy density and would be able to conceptualize and visualize the instant variety as having a canopy density that is "open."

G. Plant Vigor

The Examiner objected to the term "medium" is as being vague and insufficient for describing the plant's vigor. Applicants respectfully disagree and invite the Examiner's attention to Table 1 of the specification as originally filed, wherein measurements of plant

height and spread are included as a quantitative indication of plant vigor.

H. Margin and Texture of Leaf

Applicants have amended the original specification at page 2, line 32 to recite "leaf margin" as "crenate" and "leaf texture" as "very strongly blistered." Applicants invite the Examiner's attention to Table 2 of the specification as originally filed at page 5, line 11, wherein "interveinal blistering" is included to describe leaf texture.

I. Anthocyanin Color on Stolons

Applicants have amended the original specification at page 2, line 32 to recite "anthocyanin color on stolons" as "60C" (in the RHS Colour Chart).

J. Diameter of Stolons

Applicants have amended the original specification at page 2, line 32, to recite stolon thickness as "3.875 mm."

K. Sepal Length, Width, and Color

Applicants have amended the original specification at page 2, line 32 to recite the "sepal length" as "9.18 mm," the "sepal diameter" as "5.4 mm," and "sepal color" as "146B (in RHS Colour Chart)."

L. Reproductive Organs

Applicants have amended the original specification at page 2, line 32 to describe "the reproductive organs" as "typical for the species." The color of the anthers is Yellow 13A (in RHS Colour Chart), and the color of the pistils and receptacle are Yellow 7A (in RHS Colour Chart).

M. Average amount and Size of Achenes

Applicants have amended the original specification at page 2, line 32 to recite the "average achene weight" as "0.0054 g" and the "average number of achenes per berry" as "224."

N. Evenness of Color

Applicants have amended the original specification at page 6, line 10 to replace "Evenness of color uneven" with "Evenness of color."

CONCLUSION

I light of the above amendments and remarks, applicants submit that all of the outstanding objections have been obviated or overcome and should be withdrawn. Applicants further submit that the present claim is in form for allowance, and an early allowance is earnestly requested.

Respectfully submitted,

Date: August 6, 2003

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Enclosures

STRAWBERRY PLANT NAMED 'DRISCOLL CAMARILLO'

1. BACKGROUND OF THE INVENTION

The new variety originated as a result of a controlled cross between the strawberry plants ~~Baeza~~ 'Baeza' (U.S. Plant Patent No. 11,548) and '33X257' (unpatented variety of Driscoll Strawberry Associates, Inc.) in an ongoing breeding program, and was discovered in Ventura County, California in October, 1997. The original seedling of the new cultivar was asexually propagated by solons in a nursery in Shasta County, California. Propagates were transplanted to a controlled breeding plot in Ventura County, California, where the variety was identified and selected for further evaluation. ~~Camarillo~~ 'Driscoll Camarillo' was subsequently asexually propagated and underwent further testing Ventura County, California for five years. This propagation and testing has demonstrated that the combination of traits disclosed herein which characterize the new variety are fixed and retained true to type through successive generations of asexual reproduction.

1.1 LATIN NAME OF THE GENUS AND SPECIES OF THE PLANT CLAIMED

The variety is botanically identified as *Fragaria x ananassa.*

2. SUMMARY OF THE INVENTION

The present invention relates to a new and distinct variety of strawberry named ~~Camarillo~~ 'Driscoll Camarillo'. The variety is botanically identified as *Fragaria x ananassa.* The new variety is distinguished from other varieties by a number of characteristics as set forth in Tables 1-4.

3. COMPARISON TO SIMILAR VARIETIES

The varieties which we believe to be similar to ~~Camarillo~~ 'Driscoll Camarillo' from those known to us are ~~Baeza~~ 'Baeza' (U.S. Plant Patent No. 11,548) and ~~Ventura~~ 'Ventura'. There are several characteristics of the new variety that are different from, or not possessed by ~~Baeza~~ 'Baeza' and ~~Ventura~~ 'Ventura'. The new variety has a longer fruiting truss, a dark green coloration of the upper side of the leaf, a globosely plant habit, even fruit coloration, and an absent to small hollow center size.

4. BRIEF DESCRIPTION OF THE DRAWINGS

The accompanying photographs show typical specimens of the new variety, including fruit, foliage and flowers, in color as nearly true as it is reasonably possible to make in color illustrations of these characteristics.

~~Fig. 1 shows a close-up photo of the whole plant.~~

~~Fig. 2 shows the whole plant.~~

~~Fig. 3~~ Fig. 1 shows the leaves of the plant.

~~Fig. 4~~ Fig. 2 shows the upper side ~~and the under side of the flowers~~.

Fig. 3 shows the under side of the flowers.

~~Fig. 5~~ Fig. 4 shows a close-up of the fruit.

~~Fig. 6~~ Fig. 5 shows the fruit in longitudinal cross-section.

5. DESCRIPTION OF THE NEW VARIETY

The following detailed description of the new variety is based upon observations taken of plants and fruit grown in Ventura County, California, U.S.A. Observations of ~~Camarillo~~ 'Driscoll Camarillo', ~~Baeza~~ 'Baeza' and ~~Ventura~~ 'Ventura' were taken in side by side comparison in 2001. This description is in accordance with UPOV terminology. Color designations, color descriptions, and other phonotypical descriptions may deviate from the stated values and descriptions depending upon variation in environmental, seasonal, climatic and cultural conditions. Colors are described and the most similar color designations are provided from the Royal Horticultural Society (RHS) Color Chart.

5.1. PROPAGATION

The new variety is principally propagated by way of solons. Although propagation by solons is presently preferred, other known methods of propagating strawberry plants may be employed.

5.2. CHARACTERISTICS OF THE NEW VARIETY

Information on the new variety is presented in Tables 1, 2 and 3. In the tables, the flowers described are secondary flowers except where indicated. The fruit described is the secondary fruit on one year old plants. Fruit and flower measurements are an average of both primary and secondary fruit and flowers. The leaf width is 14.78 cm and the leaf width is 9.98 cm. The leaf margin is crenate, and the leaf texture is very strongly blistered. The petiolule length is 16.22 mm, the petiolule diameter is 2.22 mm, and the petiolule color is 149A (in the RHS Colour Chart). The anthocyanin color on stolons is 60C

(in RHS Colour Chart). The stolon thickness is 3.875 mm. The sepal length is 9.18 mm, sepal diameter is 5.4 mm, and sepal color is 146B (in RHS Colour Chart). The reproductive organs are typical for the species. The color of the anthers is Yellow 13A (in RHS Colour Chart), and the color of the pistils and receptacle are Yellow 7A (in RHS Colour Chart). The average achene weight is 0.00054 g, and there are an average number of 224 achenes per berry.

Table 1 provides a quantitative comparison of the plant and fruit characteristics of the new variety ~~Camarillo~~ 'Driscoll Camarillo' compared with characteristics of ~~Baeza~~ 'Baeza' and ~~Ventura~~ 'Ventura'. Table 2 provides additional information of the plant and fruit characteristics of the new variety ~~Camarillo~~ 'Driscoll Camarillo' compared with characteristics of the varieties ~~Baeza~~ 'Baeza' and ~~Ventura~~ 'Ventura'. Table 3 provides reactions of the new variety to stresses, pests and disease as compared to the varieties ~~Baeza~~ 'Baeza' and ~~Ventura~~ 'Ventura'. Table 4 provides isozyme characteristics of the new variety as compared to the varieties ~~Baeza~~ 'Baeza' and ~~Ventura~~ 'Ventura'.

TABLE 1

DETAILED COMPARISON OF ~~CAMARILLO~~ 'DRISCOLL CAMARILLO,' ~~BAEZA~~ 'BAEZA' AND ~~VENTURA~~ 'VENTURA'

	~~CAMARILLO~~ 'DRISCOLL CAMARILLO'	~~BAEZA~~ 'BAEZA'	~~VENTURA~~ 'VENTURA'
Plant Characteristics			
Height of Plant (cm)	23.3	20.8	21.0
Spread of Plant (cm)	42.7	38.2	38.7
Number of Crowns	4.8	3.0	3.3
Leaf Characteristics			
Terminal Leaflet Length (cm)	8.2	8.5	7.5
Terminal Leaflet Width (cm)	8.2	8.7	7.5
Terminal Leaflet Length/Width	1.0	0.98	.99
# Teeth/Terminal Leaflet	24.8	25.4	22.4
Color of upper side	dark green 147A	light to medium green 147A	medium green 137A
Color of under side	light green 138B	light green 138B	light green 138B
Petiole Length (cm)	15.9	14.5	14.2
Petiole Color	149A yellow green	144A yellow green	145A yellow green
Bract Frequency	42% mostly double	67% mostly double	50% mostly double
Stipule Length (cm)	3.5	3.5	2.8
Stipule Width (cm)	1.2	1.1	1.1
Stolon			
Diameter at base of last daughter	4.09	4.12	4.05
Flower Characteristics			
Petal Length (cm)	1.22	1.10	1.19
Petal Width (cm)	1.39	1.22	1.09
Petal Length/Width Ratio	0.88	0.90	1.09
Petal color	155B		
Flower Diameter (cm)	2.61	2.50	2.40
Calyx Diameter (cm)	2.98	2.55	2.57
Fruiting Truss			
Length (cm)	32.0	28.5	24.8

Fruit Characteristics

Fruit Length (cm)	4.1	4.2	4.5
Fruit Width (cm)	4.0	3.8	4.0
Fruit Length/Width Ratio	1.03	1.11	1.11
Average Berry Weight (g)	21.1	21.5	24.3
External Color	46A red	46A red	46A red
Internal Color	34B & 155A orange red & white	42B 7 155D white & orange red	44A orange red
Average % brix	9.26	10.38	9.27
Brix/Acid Ratio	12.62	12.87	12.95
Achene Coloration	184B and 13B	13A and 46A	13B and 45B
Marketable Yield in 2001 (g/plant)	410	293	118

TABLE 2

CHARACTERISTICS OF ~~CAMARILLO~~ 'DRISCOLL CAMARILLO,' ~~BAEZA~~ 'BAEZA' AND ~~VENTURA~~ 'VENTURA'

	~~CAMARILLO~~ 'DRISCOLL CAMARILLO'	~~BAEZA~~ 'BAEZA'	~~VENTURA~~ 'VENTURA'
Plant			
Habit	globose	flat globose	globose to flat globose
Canopy Density	open	open	medium
Vigor	medium	medium	weak to medium
Leaf			
Shape in cross section	concave	concave	slightly concave
Interveinal blistering	very strong	strong to very strong	strong
Glossiness	medium to strong	weak	medium
Number of leaflets	three only	three only	three only
Terminal leaflet margin profile	revolute to flat	revolute to flat	revolute to flat
Terminal leaflet shape of base	rounded	obtuse to rounded	rounded
Terminal leaflet shape of teeth	rounded	acute to obtuse	obtuse
Stipule pubescence	sparse	sparse	sparse
Petiole pubescence	sparse	very sparse to sparse	sparse
Petiole pose of hairs	outwards	outwards	outwards
Stolon			
Amount	few to medium	few to medium	few to medium
Anthocyanin coloration	weak to medium	weak to medium	medium
Thickness	Thick	thick to very thick	medium to thick
Pubescence	sparse	medium to dense	dense
Inflorescence			
Position relative to foliage	above	level to above	level to above
Diameter of calyx relative to corolla on secondary flowers	smaller to same size	same size to larger	smaller
Diameter of inner calyx relative to outer on secondary flowers	same size	same size	same size
Spacing of petals	overlapping	overlapping	touching to overlapping
Fruiting Truss			
Attitude at first picking	prostrate	prostrate	semi-erect

Fruit

Predominant shape	cordate	conical	conical to cordate
Difference in shapes between primary and secondary fruits	slight	very slight to slight	slight
Band without achenes	absent or very narrow	very narrow to narrow	narrow
Unevenness of surface	weak	weak to medium	weak to medium
Evenness of color ~~uneven~~	even	slightly uneven to even	slightly even
Glossiness	strong	strong	strong
Insertion of achenes	below surface	level to below surface	below surface
Insertion of calyx	in a basin	level	in a basin to level
Pose of the calyx segments	spreading	spreading to reflexed	reflexed
Size of calyx in relation to fruit on secondary fruit	smaller	same size to larger	smaller
Adherence of calyx	strong	strong	weak to medium
Firmness of flesh	firm	medium to firm	firm
Evenness of flesh color	slightly uneven	uneven	slightly uneven
Distribution of flesh color	marginal and central	marginal to central	marginal to central
Hollow center size	absent to small	large	small
Sweetness	medium	medium	medium to strong
Texture when tasted	medium	medium	fine
Acidity	medium	medium	weak to medium
Time of Flowering	mid to late August	mid to late August	mid to late August
Harvest Interval in 2001 (Week Ending)	9/29/-12/22	9/29-12/22	10/6-12/22
Type of Bearing	fully everbearing	fully everbearing	fully everbearing

5.3. REACTION TO STRESS, PESTS, AND DISEASE

TABLE 3

	~~CAMARILLO~~ 'DRISCOLL CAMARILLO'	~~BAEZA~~ 'BAEZA'	~~VENTURA~~ 'VENTURA'
Reaction to Stress			
high pH	moderately resistant	moderately resistant	moderately resistant
high soil salt levels	moderately resistant	susceptible	moderately resistant
Reaction to Pests			
Tetranychus urticae	moderately susceptible	moderately susceptible	moderately susceptible
Lygus hesperus	susceptible	susceptible	susceptible
Reaction To Diseases			
Botrytis fruit rot	susceptible	susceptible	susceptible
Powdery mildew	susceptible	highly susceptible	highly susceptible
Verticillium wilt	susceptible	susceptible	susceptible
Strawberry Mottle Virus	moderately resistant	moderately resistant	moderately resistant
Xanthomonas fragariae	moderately resistant	moderately resistant	moderately resistant

5.4. ISOZYME ANALYSIS

In addition to the morphological description above, the new cultivar ~~Camarillo~~ 'Driscoll Camarillo' has been analyzed to obtain an indication of its genetic makeup to provide further means for identifying the new variety and distinguishing it from some other somewhat similar and/or related strawberry varieties. Specifically, leaf samples of ~~Camarillo~~ 'Driscoll Camarillo', ~~Baeza~~ 'Baeza', and ~~Ventura~~ 'Ventura' were analyzed by electrophoresis for isozyme patterns of the enzymes phosphoglucoisomerase ("PGI"), leucine aminopeptidase ("LAP") and phosphoglucomutase ("PGM"). See J. Amer. Soc. Hort. Sci. 106:684-687. Isozyme characterization of the three varieties is presented in Table 4, with the letters representing the banding patterns for each enzyme as designated in the above-identified article.

TABLE 4

ISOZYME ANALYSIS FOR ~~CAMARILLO~~ 'DRISCOLL CAMARILLO' , ~~BAEZA~~ 'BAEZA' AND ~~VENTURA~~ 'VENTURA'

Locus	~~CAMARILLO~~ 'DRISCOLL CAMARILLO'	~~BAEZA~~ 'BAEZA'	~~VENTURA~~ 'VENTURA'
PGI	A2	A1	A2
LAP	B3	B3	B3
PGM	C4	C3	C4

WHAT IS CLAIMED:

1. A new and distinct variety of strawberry plant, substantially as shown and described.

ABSTRACT

This invention relates to a new and distinct variety of strawberry named ~~Camarillo~~ 'Driscoll Camarillo'. The variety is similar to the varieties ~~Baeza~~ 'Baeza' and ~~Ventura~~ 'Ventura'. The variety is distinguished from ~~Baeza~~ 'Baeza' and ~~Ventura~~ 'Ventura' in that ~~Camarillo~~ 'Driscoll Camarillo' has a longer fruiting truss, a dark green coloration of the upper side of the leaf, a globosely plant habit, even fruit coloration, and absent to small hollow center size.